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JUL 14 2000
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Robert L. Olender *
James A. Koerner
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*not admitted in MD

Of Counsel
Robert Bennett Lubic*

July 14, 2000

HAND DELIVERY

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
The Portals, TW-A325
445 Twelfth Street, S.W.
Washington, D.C. 20554

Dear Ms. Salas:

On behalf of Word of God Fellowship, Inc., there are transmitted herewith an original and four (4) copies of a Joint Petition for Rulemaking, seeking a proceeding looking toward the allotment of NTSC Channel 52 to Warner Robbins, Georgia, in substitution of existing Channel 35.

Should further information be desired in connection with this matter, please communicate with this office.

Very truly yours,

Robert L. Olender
Counsel for
Word of God Fellowship, Inc.

RLO/mp

Enclosures

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Before the
Federal Communications Commission
Washington, D.C. 20554

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JUL 14 2000

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

ORIGINAL

In the Matter of	)	
	)	
Amendment of Section 73.606(b)	)	MM Docket No. _____
TV Table of Allotments	)	RM-
TV Broadcast Stations	)	
(Warner Robbins, Georgia)	)	

To: Chief, Allocations Branch

JOINT PETITION FOR RULEMAKING

Word of God Fellowship, Inc. ("WOGF"), and Marri Broadcasting, L.P. ("Marri") (collectively "Petitioners"), by their attorneys, and pursuant to Section 1.401 of the Commission's rules and *Public Notice*, DA 99-2605 (released November 22, 1999) ("Mass Media Bureau Announces Window Filing Opportunity for Certain Pending Applications and Allotment Petitions for New Analog TV Stations") ("*Window Filing Notice*"),[1] hereby request that the Commission institute a rulemaking proceeding for the purpose of amending the TV Table of Allotments to substitute Channel 52 for the existing Channel 35 allotment at Warner Robbins,

[1] On March 9, 2000, the Commission extended the window filing period until July 15, 2000. *See Public Notice*, 15 FCC Rcd 4974 (2000) ("Window Filing Opportunity For Certain Pending Applications and Allotment Petitions For New Analog TV Stations Extended to July 15, 2000").

Georgia. Accordingly, Petitioners propose to amend Section 73.606(b) of the Commission's rules as follows:

	Channel No.	
City	**Present**	**Proposed**
Warner Robbins, Georgia	35-	52-

In support of this request, the following is stated:

WOGF and Marri currently have competing applications pending for a new NTSC television station to operate on Channel 35 at Warner Robbins, Georgia (File Nos. BPCT-950331SY and BPCT-960920YR, respectively).[2] As demonstrated in the attached engineering statement of Keith J. Leitch, the proposed Channel 35 operation at Warner Robbins is short-spaced to two (2) DTV allotments. *See* Engineering Statement, Exhibit RM-1.

As a result, pursuant to the *Window Filing Notice*, Petitioners request that the FCC amend the TV Table of Allotments by substituting Channel 52 in lieu of Channel 35 at Warner Robbins. Petitioners have searched diligently for an alternative channel/transmitter site combination for the proposed allotment of Warner Robbins that would be fully-spaced to all other NTSC and DTV stations. Petitioners' efforts, however, have been unsuccessful. As demonstrated in Mr. Leitch's attached engineering statement, from the allotment reference point,[3] the proposed

[2] On January 30, 1998, a Joint Request for Approval of Settlement Agreement was filed by Petitioners, which is currently pending, seeking the grant of WOGF's application and dismissal, with prejudice, of Marri's application.

[3] The reference coordinates for the proposed allotment are North Latitude: 32° 45' 51"; West Longitude: 88° 33' 32".

allotment of Channel 52 at Warner Robbins is short-spaced to DTV Channel 55, Station WSST-TV, Cordele, Georgia, and to DTV Channel 52, Station WCTV, Thomasville, Georgia. *See* Engineering Statement, Exhibit RM-3.

Petitioners are submitting a request for waiver of Sections 73.623(c) and 73.623(d) of the Commission's rules concerning the above-described short-spacings, assuming such a waiver is required, since it is not clear from the *Window Filing Notice* that a waiver is necessary. The *Window Filing Notice* states that "Petitions to change the channel of an existing allotment must protect DTV stations as defined in Section 73.623(c)." However, that section only applies to adding a DTV channel, not an NTSC channel. Furthermore, the only reference to a NTSC channel is when there is an amendment to existing petitions to add a new NTSC channel allotment, which must meet the minimum distance separators to DTV stations, as provided in Section 73.623(d). This is not applicable here, since this petition does not involve an amendment to an existing petition.

However, if applicable, a grant of the requested waiver would serve the public interest for a variety of reasons, and would result in no more interference than a fully-spaced allotment. Indeed, as demonstrated in the attached engineering statement, the proposed allotment of Channel 52 at Warner Robbins would not cause any harmful interference to either DTV allotments. The proposed allotment also would provide the community of Warner Robbins with its first local television service and thus promote the objectives of Section 307(b) of the Communications Act of 1934, as amended.

As demonstrated in Mr. Leitch's attached engineering statement, from the transmitter site proposed in WOGF's pending application, the proposed Channel 52 NTSC operation at Warner

Robbins would not cause harmful interference to any other NTSC station, and less than 0.5% interference to any digital station. *See* Engineering Statement, Exhibits RM-2, FLR-1, FLR-2, FLR-3 and FLR-4. The proposed Channel 52 NTSC facility at Warner Robbins can operate from the proposed transmitter site with 2,500 kW omni-directional effective radiated power at 192 meters height above average terrain without adversely affecting any other television station. The proposed NTSC Channel 52 operation also would provide an 80 dBu contour to the entire community of Warner Robbins.

In light of the above, Petitioners request that the Commission amend the TV Table of Allotments to substitute Channel 52 for Channel 35 at Warner Robbins, Georgia. In the event Channel 52 is allotted to Warner Robbins, Petitioners will amend their pending applications in accordance with the Report and Order issued in this proceeding to specify the new channel, and modify their technical proposals as necessary so that the proposed Channel 52 NTSC facility will not cause harmful interference to any other television station. In the event its application is ultimately granted, WOGF will promptly construct and operate the new facility.

WHEREFORE, in light of the foregoing, Petitioners respectfully request that the Commission GRANT this petition for rulemaking, AMEND the TV Table of Allotments, and SUBSTITUTE Channel 52 for the existing Channel 35 allotment at Warner Robbins, Georgia.

Respectfully submitted,

WORD OF GOD FELLOWSHIP, INC.

July 14, 2000

By: _____
Robert L. Olender
Its Attorney

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(301) 468-3336

MARRI BROADCASTING, L.P.

July 14, 2000

By: _____
John E. Fiorini, III
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WES, INC.
6200 Valeria Ln.
El Paso, TX 79912

505-589-2224

ENGINEERING EXHIBIT
PETITION TO MODIFY THE TABLE OF ALLOTMENTS TO SPECIFY A DISPLACEMENT CHANNEL TO SUBSTITUTE FOR WARNER ROBBINS, GA CHANNEL 35

July 11, 2000

ENGINEERING STATEMENT

Wes, Inc.

DECLARATION

I, Keith J. Leitch declare and state that I am a Certified Broadcast Engineer, by the Society of Broadcast Engineers, and my qualifications are a matter of record with the Federal Communications Commission, and that I am an engineer in the firm of Wes, Inc., and that the firm has been retained to prepare an engineering statement on behalf of Word of God Fellowship, Inc.

All facts contained herein are true to my knowledge except where stated to be on information or belief, and as to those facts, I believe them to be true. All Exhibits were prepared by me or under my supervision. I declare under penalty of perjury that the foregoing is true and correct.

_____

Keith J. Leitch

Executed on the 11th day of July, 2000

Narrative Statement

I. GENERAL

This engineering report has been prepared on behalf of Word of God Fellowship, Inc. in support of its request for a displacement channel (Channel 52) for its pending application for Channel 35 in Warner Robbins, GA (BPCT970331SY).

II. ENGINEERING DISCUSSION

The applicant originally applied for a construction permit for an existing allocation on channel 35 in Warner Robbins, GA. The applicant is precluded from going on channel 35 due to interference from two short-spaced digital allotments in Columbus, Georgia and Baxley, Georgia as outlined in Exhibit RM-1.

The applicant proposes the following allocation site:

North Latitude: 32° 45' 51"
West Longitude: 88° 33' 32"

It is proposed to amend Section 73.606(b) of the Commission's rules, NTSC Table of Allotments, to allot Channel 52 (698-702 MHz) for the NTSC television operation of Word of God, Inc. As is demonstrated below, the proposed Channel 52 NTSC operation at Warner Robbins, GA would not cause any harmful interference to any other analog NTSC or DTV station or allotments exceeding the Commission's guidelines. Warner Robbins, Georgia, Channel 52 would provide additional service to a population of 444,816 people.

The proposed NTSC Channel 52 has site availability and can operate from the proposed antenna site with 2,500 kW omni-directional ERP and 192 meters HAAT (308 meters RCAMSL) without adversely impacting other TV operations. The proposed Channel 52 would serve all of Warner Robbins, GA inside its 80 dBu contour.

Analog NTSC TV Allocation Situation

The attached Exhibit RM-2 demonstrates that Channel 59, Warner Robbins, GA, is free of any short-spacings to any other NTSC stations.

Class A Situation

A complete study of all Class A LPTV stations has been conducted. The applicant is free of any contour overlap with Class A stations. The applicant will not cause any interference to any Class A stations.

DTV Allocation Situation

The attached Exhibit RM-3 lists all digital allotments that must be considered within 429 kilometers of the proposed rule-making. The applicant has utilized the FCC's own Fortran Longley-Rice program to determine interference to Digital Television stations. The applicant is 78.5 kilometers from Cordele, Georgia. The required spacing to an adjacent digital stations is 88.5 kilometers. The attached exhibit FLR-1 demonstrates that Cordele, Georgia digital channel 51 will receive 80 people (0.03%) of additional interference from Warner Robbins, Georgia Channel 52. The interference received by Cordele is less than 0.5% which can be rounded to 0% and is therefore considered negligible by the Commission and can be ignored. The applicant is 214.9 kilometers from Thomasville, GA. The required spacing to a co-channel digital station is 244.6 kilometers. The attached exhibit FLR-2 demonstrates that Thomasville, Georgia digital channel 52 will receive additional population loss of 97 people (0.02%) additional interference from Warner Robbins, Georgia Channel 52. The interference received by Thomasville is less than 0.5% which can be rounded to 0% and is therefore considered negligible by the Commission and can be ignored. The attached exhibit FLR-3 demonstrates that Birmingham, Alabama digital channel 52 will receive additional population loss of 4,588 people (0.3%) additional interference from Warner Robbins, Georgia Channel 52. The interference received by Birmingham is less than 0.5% which can be rounded to 0% and is therefore considered negligible by the Commission and can be ignored. The applicant does not cause any interference to any other digital station and receives a total of 16,449 persons of interference from all digital stations, as demonstrated in Exhibit FLR-4. The applicant willingly accepts any interference from all digital stations.

III. Summary

The applicant must change channel from Channel 35 in Warner Robbins, Georgia to channel 52 in order to avoid interference to digital television. On channel 52, Warner Robbins will not cause any interference to any NTSC stations and digital stations above the Commissions guidelines. The applicant will not cause any interference to any Class A stations.

Exhibit RM-1
Warner Robins

July 11, 2000
by WES, Inc. Broadcast Consultants

Spacing study to Digital TV on Warner Robins's current channel 35

Study Location:
Warner Robins, GA Channel 35

NTSC Study Station, Transmitter Coordinates: 32-45-51 N 83-33-32 W

Study distance: 429 km

NTSC TO DTV STUDY RESULTS

City of License	ST	Chan	Bearing	Distance	Req.Dist	Diff.
Atlanta	GA	27	327.79	135.37	96.60	38.77
Atlanta	GA	39	326.00	133.77	96.60	37.17
Atlanta	GA	43	324.99	134.76	96.60	38.16
Baxley	GA	35	131.45	167.41	244.60	-77.19
Columbus	GA	35	254.74	129.08	244.60	-115.52
Columbus	GA	49	254.82	128.35	96.60	31.75
Macon	GA	50	182.74	1.63	<24.1	22.47
Perry	GA	32	183.45	1.30	<24.1	22.80
Wrens	GA	36	65.23	131.01	88.50	42.51
Charleston	SC	35	89.57	347.50	244.60	102.90
Greenville	SC	35	23.75	263.72	244.60	19.12
Chattanooga	TN	35	328.56	311.64	244.60	67.04

Station is short-spaced to 2 stations.

Exhibit RM-2
Warner Robins, GA

July 11, 2000

by WES, Inc. Broadcast Consultants

Spacing study to NTSC TV on channel 52

****** TV CHANNEL SPACING STUDY ******

Job title: Warner Robins
Channel: 52
Database file name: tv000117.edx

Latitude: 32 45 51
Longitude: 83 33 32

CH	Call	Record No.	City	ST	Z	STS	Bear.	Dist.	Reqd. Dist.	Result
38+	WLTZ	3685	COLUMBUS	GA	2	L	255.0	129.1	95.7	33.4
66o	WSWSTV	3692	OPELIKA	AL	2	A	247.1	124.6	95.7	28.9

****** End of channel 52 study ******

Exhibit RM-3
Warner Robbins, GA

July 11, 2000
by WES, Inc. Broadcast Consultants

Spacing study to Digital TV on Warner Robbins's newly proposed channel 52

Study Location:
Warner Robins, GA Channel 52

NTSC Study Station, Transmitter Coordinates: 32-34-51 N 83-33-32 W

Study distance: 429 km

NTSC TO DTV STUDY RESULTS

City of License	ST	Chan	Bearing	Distance	Req.Dist	Diff.
Birmingham	AL	52	288.45	318.85	244.60	74.25
Augusta	GA	51	60.09	185.87	88.50	97.37
Columbus	GA	49	263.89	124.71	96.60	28.11
Cordele	GA	51	197.07	78.49	88.50	-10.01
Macon	GA	45	0.00	19.07	<24.1	5.03
Macon	GA	50	359.76	18.70	<24.1	5.40
Monroe	GA	44	342.10	135.03	96.60	38.43
Rome	GA	51	332.19	217.20	88.50	128.70
Thomasville	GA	52	189.70	214.91	244.60	-29.69
Charleston	SC	52	83.99	363.69	244.60	119.09

Station is short-spaced to 2 stations.

Exhibit FLR-1
Warner Robins, GA

Fortran Longley-Rice Interference Study
by WES, Inc. Broadcast Consultants

Study run without Warner Robins, GA Channel 52 added to the database:

```
Run begins Tue Jul 11 10:06:33 2000, host providence
Analysis of: 51A GA CORDELE
   HAAT  109.0 m, ATV ERP  200.0 kW
                                  POPULATION   AREA (sq km)
   within Noise Limited Contour       326784      14481.0
   not affected by terrain losses     326406      14445.0
   lost to NTSC IX                         0          0.0
   lost to additional IX by ATV         3390        247.9
   lost to ATV IX only                  3390        247.9
   lost to all IX                       3390        247.9

Finished Tue Jul 11 10:11:39; run time    0:04:51
     14958 calls to Longley-Rice; path distance increment  1.00 km
```

Study run with Warner Robins Channel 52 added to the database at 2,500 kW omni:

```
Run begins Tue Jul 11 12:14:31 2000, host providence
Analysis of: 51A GA CORDELE
   HAAT  109.0 m, ATV ERP  200.0 kW
                                  POPULATION   AREA (sq km)
   within Noise Limited Contour       326784      14481.0
   not affected by terrain losses     326406      14445.0
   lost to NTSC IX                         80          4.0
   lost to additional IX by ATV         3390        247.9
   lost to ATV IX only                  3390        247.9
   lost to all IX                       3470        251.9

Finished Tue Jul 11 12:19:50; run time    0:05:01
     16423 calls to Longley-Rice; path distance increment  1.00 km
```

Exhibit FLR-2
Warner Robbins, GA

Fortran Longley-Rice Interference Study
by WES, Inc. Broadcast Consultants

Study run without Warner Robbins, GA Channel 52 added to the database:

```
Run begins Tue Jul 11 10:16:55 2000, host providence
Analysis of: 52A GA THOMASVILLE
   HAAT  619.0 m, ATV ERP 1000.0 kW
                                  POPULATION   AREA (sq km)
   within Noise Limited Contour       827159       44509.0
   not affected by terrain losses     827050       44477.1
   lost to NTSC IX                         0           0.0
   lost to additional IX by ATV          561         143.9
   lost to ATV IX only                   561         143.9
   lost to all IX                        561         143.9

Finished Tue Jul 11 10:21:00; run time    0:03:49
     16284 calls to Longley-Rice; path distance increment  1.00 km
```

Study run with Warner Robbins Channel 52 added to the database at 2,500 kW omni:

```
Run begins Tue Jul 11 12:22:15 2000, host providence
Analysis of: 52A GA THOMASVILLE
   HAAT  619.0 m, ATV ERP 1000.0 kW
                                  POPULATION   AREA (sq km)
   within Noise Limited Contour       827159       44509.0
   not affected by terrain losses     827050       44477.1
   lost to NTSC IX                       280          40.0
   lost to additional IX by ATV          378         127.9
   lost to ATV IX only                   561         143.9
   lost to all IX                        658         167.9

Finished Tue Jul 11 12:29:16; run time    0:06:41
     24984 calls to Longley-Rice; path distance increment  1.00 km
```

Exhibit FLR-3
Warner Robbins, GA

Fortran Longley-Rice Interference Study
by WES, Inc. Broadcast Consultants

Study run without Warner Robbins, GA Channel 52 added to the database:

```
Run begins Tue Jul 11 12:48:21 2000, host providence
Analysis of: 52A AL BIRMINGHAM
   HAAT  399.0 m, ATV ERP 1000.0 kW
                                  POPULATION   AREA (sq km)
   within Noise Limited Contour      1564986      33661.2
   not affected by terrain losses    1529743      32166.0
   lost to NTSC IX                         0          0.0
   lost to additional IX by ATV         7483        459.5
   lost to ATV IX only                  7483        459.5
   lost to all IX                       7483        459.5

Finished Tue Jul 11 12:53:23; run time    0:04:47
     20009 calls to Longley-Rice; path distance increment  1.00 km
```

Study run with Warner Robbins, GA Channel 52 added at 2,500kW omni:

```
Run begins Tue Jul 11 12:36:36 2000, host providence
Analysis of: 52A AL BIRMINGHAM
   HAAT  399.0 m, ATV ERP 1000.0 kW
                                  POPULATION   AREA (sq km)
   within Noise Limited Contour      1564986      33661.2
   not affected by terrain losses    1529743      32166.0
   lost to NTSC IX                      5370        225.7
   lost to additional IX by ATV         6701        423.2
   lost to ATV IX only                  7483        459.5
   lost to all IX                      12071        648.9

Finished Tue Jul 11 12:43:06; run time    0:06:00
     22502 calls to Longley-Rice; path distance increment  1.00 km
```

Exhibit FLR-4
Warner Robbins, GA

Fortran Longley-Rice Interference Study
by WES, Inc. Broadcast Consultants

Study run without Warner Robbins, GA Channel 52 added to the database:

```
Run begins Tue Jul 11 13:22:16 2000, host providence
Analysis of: 52A SC CHARLESTON
   HAAT  521.0 m, ATV ERP 1000.0 kW
                                  POPULATION   AREA (sq km)
   within Noise Limited Contour       773474       35276.9
   not affected by terrain losses     773474       35276.9
   lost to NTSC IX                         0           0.0
   lost to additional IX by ATV          195           8.0
   lost to ATV IX only                   195           8.0
   lost to all IX                        195           8.0

Finished Tue Jul 11 13:26:21; run time    0:03:52
     18817 calls to Longley-Rice; path distance increment  1.00 km
```

Study run with Warner Robbins Channel 52 added to the database at 2,500 kW omni:

```
Run begins Tue Jul 11 13:16:15 2000, host providence
Analysis of: 52A SC CHARLESTON
   HAAT  521.0 m, ATV ERP 1000.0 kW
                                  POPULATION   AREA (sq km)
   within Noise Limited Contour       773474       35276.9
   not affected by terrain losses     773474       35276.9
   lost to NTSC IX                         0           0.0
   lost to additional IX by ATV          195           8.0
   lost to ATV IX only                   195           8.0
   lost to all IX                        195           8.0

Finished Tue Jul 11 13:21:12; run time    0:04:39
     20280 calls to Longley-Rice; path distance increment  1.00 km
```

Exhibit FLR-5
Warner Robbins, GA

Fortran Longley-Rice Interference Study
by WES, Inc. Broadcast Consultants

Study run to determine pop coverage and interference amounts
received by Warner Robbins, GA Channel 52.

```
Run begins Tue Jul 11 12:04:36 2000, host providence
Analysis of: 52N GA WARNER ROBBINS
                                  POPULATION   AREA (sq km)
   within Noise Limited Contour       444816       13534.9
   not affected by terrain losses     444146       13374.4
   lost to NTSC IX                         0           0.0
   lost to additional IX by ATV        16449         947.0
   lost to all IX                      16449         947.0

Finished Tue Jul 11 12:07:44; run time    0:02:57
     11088 calls to Longley-Rice; path distance increment  1.00 km
```